

**RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 29, 2003:**

- 8:30 a.m. – 9:00 a.m. Work Session – Operation Division Manager/Road District Maintenance Supervisors
- *T** 9:00 a.m. – 10:00 a.m. Public Works Department – Chal Martin, Director
1. Discussion – Various Public Works Department Issues.
 2. Discussion/Signature – Amendment #1 to Personal Services Agreement #C20040036 with Pacific International Engineering.
 3. Miscellaneous.
- *T** 10:00 a.m. – 11:00 a.m. Planning and Permit Center – Gary Christensen, Interim Director
1. Set Date and Time for Consideration of Planning Commission Recorded Motions on Growth Management Act Compliance Issues.
 2. Continued Discussion and Possible Action – Department Recommendations on 2001 and 2002 Comprehensive Amendments.
 3. Discussion - Pleasant Ridge Zoning Map Error.
 4. Discussion and Possible Action – Commitment and Schedule for Fidalgo Island Subarea Plan Process.
 5. Miscellaneous.
- 11:00 a.m. – 11:30 a.m. Bid Opening – Skagit County Fairground Road Improvement Project
- 2:00 p.m. - 2:45 p.m. Work Session – Development Standards for Rural Signage
- 3:00 p.m. – 3:30 p.m. Work Session – Farmland Legacy Program Transition and Goals

The Skagit County Board of Commissioners met in regular session on Tuesday, April 29, 2003, with Commissioners Kenneth A. Dahlstedt and Don Munks present. Commissioner Ted W. Anderson was excused.

PUBLIC WORKS DEPARTMENT – CHAL MARTIN, DIRECTOR

1. Miscellaneous.

Jennifer Aylor, Surface Water Manager for the City of Mount Vernon presented four Centennial Grant applications for water quality projects that were submitted by the Skagit Conservation District, the City of Mount Vernon, the Samish Indian Nation, and Skagit County. The applicants will receive additional points for submitting their proposals as a group in order of priority. Ms. Aylor read a letter of support from the Samish Indian Nation.

Commissioner Munks moved to sign a resolution of agreement for the Centennial Grant Applications as presented. Chairman Dahlstedt seconded the motion, which carried unanimously. **(Resolution No. R20030151)**

2. Discussion – Various Public Works Department Issues.

Progress Update on Key Flood Project Elements

Director Chal Martin provided a packet of information and discussed each item individually with the Board. He shared a draft of a joint letter to Puget Sound Energy (PSE) for providing additional flood control in the Baker project. He also provided an estimate of \$135,000 by Pacific International Engineering to conduct a study of additional flood storage since the Army Corps of Engineers (Corps) is

not moving quickly enough on this project. The Public Works Department may be coming to the Board with a request for the study. Mr. Martin provided a change request by the Corps to modify their flood feasibility study agreement and add money that was pulled from this week's agenda. Public Works felt the cost change request and expenditure plan out gave too much control to the Corps. The Department will discuss the agreement this Friday in a study of additional flood control.

Mr. Martin provided the proposed funding schedule for the Burlington Northern Santa Fe Railroad (BNSF) Bridge. A request has been made for \$988,000 dollars in federal funding for this project, and a marker is in place for 80% of that request. He then shared an email from Don Dixon of Public Works outlining the status of this year's Skagit River Feasibility Study budget. The total of uncommitted funds is approximately \$75,000. Chairman Dahlstedt recognized our state and federal legislators and our local stakeholders for their support of flood protection efforts. Several additional documents were provided that outlined appropriations requests and potential revenue for flood projects in the 2004 fiscal year.

Skagit Water Rights Planning

Several meetings have been scheduled for May and June. The first session will be the May 8. Mr. Martin stated that the County wants to build on work that is already accomplished. Some topics of discussion will be Sauk Valley, length of agreement, PUD infrastructure, prioritization and issues of changing exempt wells to commercial use water systems. Commissioner Dahlstedt mentioned that residents in the Nookachamps and Lake McMurray area are being help up on property development due to water issues.

Samish Water Rights Planning

Mr. Martin reported on the status and budget of the Samish Watershed Planning contracts with Hydrologic Services. The next session for Samish discussions is April 30 at the PUD. Commissioner Dahlstedt commented on the unreasonable instream flow target number of 100 cubic feet per second (CSF) by the Department of Fish and Wildlife. Mr. Martin shared a draft letter to the Department of Ecology regarding the instream flow methodology in the Samish River. This letter will be presented to the Board as part of the Consent Agenda on Monday, May 5.

3. Discussion/Signature – Amendment #1 to Personal Services Agreement #C20040036 with Pacific International Engineering.

The amendment increases the compensation of Personal Services Agreement **No. C20030036** with Pacific International Engineering by \$58,000 for a new total of \$258,000. The additional funds are necessary to perform the preliminary design, cost engineering, and a preliminary project schedule for the replacement of the Burlington Northern Santa Fe Bridge. Task Assignment #2 was added to outline the scope of work.

Commissioner Munks moved to approve the amendment and the task assignment to the Personal Services Agreement with Pacific International Engineering as outlined. Chairman Dahlstedt seconded the motion, which carried unanimously. **(Amendment No. A20030048)**

PLANNING AND PERMIT CENTER – GARY CHRISTENSEN, INTERIM DIRECTOR

1. Set Date and Time for Consideration of Planning Commission Recorded Motions on Growth Management Act Compliance Issues.

Gary Christensen, Interim Director, requested that the Board set a date and time to consider recorded motions by the Planning Commission on Growth Management Act compliance issues relating to Open Space/Greenbelts; Big Lake Rural Village, Rural Marine Industrial, and Addressing 410 Acres of Reserved Rural Commercial/Industrial Allocations.

A public hearing was held on April 10, 2003 to receive public comment on these issues, as well as Lot Aggregation. The Planning Commission will further discuss the Lot Aggregation issue in May.

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Commissioner Munks moved and Chairman Dahlstedt seconded the motion to meet on Tuesday May, 6, at 10:30 a.m. for consideration of the Growth Management Act Compliance Issues as outlined. The motion carried unanimously.

2. Continued Discussion and Possible Action – Department Recommendations on 2001 and 2002 Comprehensive Amendments.

The Board heard the recommendations on the 2001 and 2002 Comprehensive Plan Amendments, which were continued from the April 15, 2003, meeting. Mr. Christensen proposed an amendment for the year 2001 for Clark's Cabins. The Department had initially recommended denying the application while the Master Plan Resort regulations are being completed. Mr. Christensen stated that this matter could be handled in a concurrent fashion. The Department is now recommending that Clark's Cabins be approved for further consideration.

Chairman Dahlstedt confirmed that the Comp Plan Amendments had to be treated as a group and that those that were denied could reapply. He also asked if new zoning changes could have a negative impact. He encouraged those that were denied today to submit applications to the Planning and Permit Center by the deadline of July 31, 2003.

Mr. Christensen stated that under State statute all the Comp Plan Amendments must be dealt with concurrently and they can only be addressed one time per year. When requests are denied without prejudice it does not preclude anyone from making new applications. He stated that zoning changes could have either a positive or negative effect.

Commissioner Munks moved to approve the 2001 - 2002 Comprehensive Amendment recommendations by the Planning and Permit Center with the amendment to Clark Cabins. Chairman Dahlstedt seconded the motion; which carried unanimously.

3. Discussion - Pleasant Ridge Zoning Map Error.

Guy McNally, Associate Planner, stated that under County Code administrative interpretations can be made by the Planning Director. In this case, the applicant was asking for a correction that affected ten other property owners. Therefore, the Department asked for the Commissioners' input on a decision at the April 15 meeting, at which time the discussion was continued. Since then, Mr. McNally has met with senior staff and legal council. They reviewed the County Code and have concluded that it limits the administrative decision unless all property owners have made a similar request. The Department is now recommending that this request for administration interpretation be considered as part of the annual Comprehensive Plan amendment process.

4. Discussion and Possible Action – Commitment and Schedule for Fidalgo Island Subarea Plan Process.

Mr. Christensen presented a proposed resolution that formally addresses the County's commitment, schedule, and funding for completing the Fidalgo Island Subarea plan. The Planning Department is recommending that \$75,000 of budget money be reserved for the plan.

Commissioners Munks and Dahlstedt stressed the importance of moving ahead with this process and also supporting the other areas that are interested in moving forward with subarea planning.

Commissioner Munks moved to adopt the resolution as reviewed by legal council and drafted by staff as presented. Chairman Dahlstedt seconded the motion, which carried unanimously. (**Resolution No. R20030152**)

Mr. Christensen stated that there has been discussion with the City of Anacortes and PUD No. 1 regarding financial assistance and partnerships in the process.

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5. Miscellaneous.

Mr. McNally reported that the delay of the Capital Facilities Plan this year has been advantageous by allowing more time to bring special purpose information into the Plan. In the near future, he would like to discuss the items that need policy direction before adopting the final update. Those items include the use of 1st and 2nd quarter real estate tax, County FTE personnel projections, and countywide population forecasts.

MISCELLANEOUS.

Proclamation – USS Camden Homecoming.

Commissioner Munks provided information about the history of the USS Camden. He then read the Proclamation for the USS Camden homecoming, and moved to approve the Proclamation. Chairman Dahlstedt seconded the motion; which carried unanimously.

BID OPENING – SKAGIT COUNTY FAIRGROUND ROAD IMPROVEMENT PROJECT.

Patrik Dylan, Parks Department, and Tony Rees, Fair Manager, proceeded to open bids for the Skagit County Fairground Road Improvement Project. Bids were received as follows:

Lee Johnson & Sons Construction, Inc.

P. O. Box 98

Clear Lake, WA 98235

Addendum Enclosed

Bid Bond Enclosed

Total Bid Price: \$81,000.00

Larry Brown Construction, Inc.

1825 Mount Baker Hwy

Bellingham, WA 98225

Addendum Enclosed

Bid Bond Enclosed

Total Bid Price: \$80,493.78

IMAC, Inc.

2525 Old Hwy 99 South

Mount Vernon, WA 98273

Addendum Enclosed

Bid Bond Enclosed

Total Bid Price: \$159,545.27

Callen Construction, Inc.

8632 Stein Rd

P.O. Box 498

Custer, WA 98240

Addendum Enclosed

Bid Bond Enclosed

Total Bid Price: \$92,316.80

Mr. Dylan indicated that a bid award recommendation would be forthcoming within the next few weeks.

ADJOURNMENT.

Commissioner Munks made a motion to adjourn the proceedings. Chairman Dahlstedt seconded the motion, which passed unanimously.

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**BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Kenneth A. Dahlstedt, Chairman

Ted W. Anderson, Commissioner

Don Munks, Commissioner

ATTEST:

Shirley Knapp, Acting Clerk of the Board
For JoAnne Giesbrecht
Skagit County Board of Commissioners